

UNITED STATES OF AMERICA, )  
 )  
 )  
 v. )  
 )  
 ) **ORDER**  
 )  
 MICHAEL DELOS HAMILTON, )  
 )  
 Defendant. )

The defendant argues that the government failed to present sufficient evidence of the essential elements of the offenses charged in Counts I-IV of the indictment and that this court should therefore grant the defendant's motion. In ruling on a motion under Rule 29 of the Federal Rules of Criminal Procedure, a jury verdict "must be sustained if there is substantial evidence, taking the view most favorable to the Government, to support it." United States v. Burgos, 94 F.3d 849, 862 (4<sup>th</sup> Cir. 1996) (quoting Glasser v. United States, 315 U.S. 60, 80 (1942)).

This court has carefully reviewed this matter, including the memoranda filed by both the defendant and the government and finds that, in the light most favorable to the government, there is substantial evidence to support the jury's verdict as detailed in the government's memorandum. Therefore, the motion for judgment of acquittal is DENIED.

This 2<sup>nd</sup> day of June 2011.

A handwritten signature in black ink, appearing to read "Malcolm J. Howard", written over a horizontal line.

Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
#26